

Mr. REID. Madam President, I ask unanimous consent that the three remaining votes be 10 minutes in duration.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is laid on the table, and the President shall be immediately notified of the Senate's action.

#### VOTE ON NOMINATION OF ANDREW S. HANEN

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Andrew S. Hanen, of Texas, to be United States District Judge for the Southern District of Texas.

The yeas and nays have been ordered, and the clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. REID. I announce that the Senator from New Jersey (Mr. CORZINE) is necessarily absent.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS) and the Senator from Wyoming (Mr. THOMAS) are necessarily absent.

I further announce that if present and voting the Senator from North Carolina (Mr. HELMS) would vote "yea."

The PRESIDING OFFICER (Mr. REED). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 0, as follows:

#### [Rollcall Vote No. 105 Ex.]

##### YEAS—97

Akaka	Durbin	McCain
Allard	Edwards	McConnell
Allen	Ensign	Mikulski
Baucus	Enzi	Miller
Bayh	Feingold	Murkowski
Bennett	Feinstein	Murray
Biden	Fitzgerald	Nelson (FL)
Bingaman	Frist	Nelson (NE)
Bond	Graham	Nickles
Boxer	Gramm	Reed
Breaux	Grassley	Reid
Brownback	Gregg	Roberts
Bunning	Hagel	Rockefeller
Burns	Harkin	Santorum
Byrd	Hatch	Sarbanes
Campbell	Hollings	Schumer
Cantwell	Hutchinson	Sessions
Carnahan	Hutchison	Shelby
Carper	Inhofe	Smith (NH)
Chafee	Inouye	Smith (OR)
Cleland	Jeffords	Snowe
Clinton	Johnson	Specter
Cochran	Kennedy	Stabenow
Collins	Kerry	Stevens
Conrad	Kohl	Thompson
Craig	Kyl	Thurmond
Crapo	Landrieu	Torricelli
Daschle	Leahy	Voinovich
Dayton	Levin	Warner
DeWine	Lieberman	Wellstone
Dodd	Lincoln	Wyden
Domenici	Lott	
Dorgan	Lugar	

##### NOT VOTING—3

Corzine	Helms	Thomas
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The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is laid upon the table and the President shall be immediately notified of the Senate's action.

#### VOTE ON NOMINATION OF SAMUEL H. MAYS, JR.

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Samuel H. Mays, Jr., of Tennessee, to be U.S. District Judge for the Western District of Tennessee. On this question, the yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from New Jersey (Mr. CORZINE) is necessarily absent.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS) and the Senator from Wyoming (Mr. THOMAS) are necessarily absent.

I further announce that if present and voting the Senator from North Carolina (Mr. HELMS) would vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 0, as follows:

#### [Rollcall Vote No. 106 Ex.]

##### YEAS—97

Akaka	Durbin	McCain
Allard	Edwards	McConnell
Allen	Ensign	Mikulski
Baucus	Enzi	Miller
Bayh	Feingold	Murkowski
Bennett	Feinstein	Murray
Biden	Fitzgerald	Nelson (FL)
Bingaman	Frist	Nelson (NE)
Bond	Graham	Nickles
Boxer	Gramm	Reed
Breaux	Grassley	Reid
Brownback	Gregg	Roberts
Bunning	Hagel	Rockefeller
Burns	Harkin	Santorum
Byrd	Hatch	Sarbanes
Campbell	Hollings	Schumer
Cantwell	Hutchinson	Sessions
Carnahan	Hutchison	Shelby
Carper	Inhofe	Smith (NH)
Chafee	Inouye	Smith (OR)
Cleland	Jeffords	Snowe
Clinton	Johnson	Specter
Cochran	Kennedy	Stabenow
Collins	Kerry	Stevens
Conrad	Kohl	Thompson
Craig	Kyl	Thurmond
Crapo	Landrieu	Torricelli
Daschle	Leahy	Voinovich
Dayton	Levin	Warner
DeWine	Lieberman	Wellstone
Dodd	Lincoln	Wyden
Domenici	Lott	
Dorgan	Lugar	

##### NOT VOTING—3

Corzine	Helms	Thomas
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The nomination was confirmed.

Mr. LEAHY. Mr. President, I move to reconsider the vote.

Mr. BREAUX. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. The majority leader has asked me to notify everyone that following this vote we are going to a period of morning business until about 2:30 today. I so ask unanimous consent.

The PRESIDING OFFICER. Is there objection? The Senator from Oklahoma.

Mr. NICKLES. Reserving the right to object, I would like to discuss this for a moment with my friend and colleague.

#### VOTE ON NOMINATION OF THOMAS M. ROSE

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Thomas M. Rose, of Ohio, to be a United States District Judge for the Southern District of Ohio?

On this question, the yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from New Jersey (Mr. CORZINE), the Senator from Vermont (Mr. JEFFORDS), and the Senator from Louisiana (Ms. LANDRIEU) are necessarily absent.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS) and the Senator from Wyoming (Mr. THOMAS) are necessarily absent.

I further announce that if present and voting the Senator from North Carolina (Mr. HELMS) would vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 95, nays 0, as follows:

#### [Rollcall Vote No. 107 Ex.]

##### YEAS—95

Akaka	Dorgan	McCain
Allard	Durbin	McConnell
Allen	Edwards	Mikulski
Baucus	Ensign	Miller
Bayh	Enzi	Murkowski
Bennett	Feingold	Murray
Biden	Feinstein	Nelson (FL)
Bingaman	Fitzgerald	Nelson (NE)
Bond	Frist	Nickles
Boxer	Graham	Reed
Breaux	Gramm	Reid
Brownback	Grassley	Roberts
Bunning	Gregg	Rockefeller
Burns	Hagel	Santorum
Byrd	Harkin	Sarbanes
Campbell	Hatch	Schumer
Cantwell	Hollings	Sessions
Carnahan	Hutchinson	Shelby
Carper	Hutchison	Smith (NH)
Chafee	Inhofe	Smith (OR)
Cleland	Inouye	Snowe
Clinton	Johnson	Specter
Cochran	Kennedy	Stabenow
Collins	Kerry	Stevens
Conrad	Kohl	Thompson
Craig	Kyl	Thurmond
Crapo	Leahy	Torricelli
Daschle	Levin	Voinovich
Dayton	Lieberman	Warner
DeWine	Lincoln	Wellstone
Dodd	Lott	Wyden
Domenici	Lugar	

##### NOT VOTING—5

Corzine	Jeffords	Thomas
Helms	Landrieu	

The nomination was confirmed.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

The majority leader.

#### MORNING BUSINESS

Mr. DASCHLE. Mr. President, I have been in consultation with the distinguished Republican leader. We are continuing to discuss matters pertaining

to the trade package currently under consideration on the Senate floor.

In order to accommodate additional discussion, I ask unanimous consent that we proceed in morning business until 2:30, with the time equally divided between the two leaders or their designees.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

### STUDENT LOANS

Mr. DASCHLE. Mr. President, I want to talk briefly this afternoon in morning business about a matter that I know is of great importance to a number of people across the country, an issue that was the subject of some discussion in the health committee just this morning.

Students are borrowing too much, and students are working too much in order to finance rising college costs.

Sixty-four percent of all students borrow Federal student loans to finance a college education today. The typical undergraduate student graduates with about \$17,000 in Federal loan debt.

Student debt is skyrocketing. As a result, many students find themselves saddled with unimaginable levels of student loan debt and experience difficulty in repaying their loans. An estimated 39 percent of all student borrowers today graduate with unimaginable student loan debt.

The administration, in late April, proposed to exacerbate the current circumstances in ways that were inexplicable to many of us. They proposed to raise student loan interest rates for consolidated loans by changing the consolidation loan interest rate from a fixed to variable rates. This proposal has come along, as I noted, when millions of students are struggling to pay for college.

According to the Department of Education, the typical borrower now graduates with almost \$17,000 in Federal student loan debt, as I noted a moment ago. And more than half of all Pell grant recipients graduate with student loan debt as well. The typical Pell grant recipient who borrows graduates with almost \$19,000 in loan debt.

The Office of Management and Budget, on April 25, released a third "Offset Options for the Supplemental" appropriations bill that is currently pending in the House. Many of us were intrigued with the offset option that they chose to use involving student loan consolidation. I will quote from the document. It is under the category "For \$1.3 billion for the Pell Grant shortfall, Student loan consolidation proposal." And they stipulate that would raise \$1.3 billion. Now I am quoting from the OMB document:

Changing the interest rate formula from fixed to variable is a good thing as fixed rate consolidation loans: can result in significant Federal costs; have higher average costs to borrowers; needlessly penalize borrowers who

consolidate their loans when variable interest rates are high; and, can have a destabilizing effect in the guaranteed loan program.

The proposal that the administration made through the OMB would cost the typical student borrower \$2,800, and the typical Pell grant recipient, who borrows, \$3,100 over the life of their loans.

So in order to raise that \$1.3 billion for which they are proposing to offset, in part, the costs of the supplemental, what they want to do is charge the typical borrower an additional \$2,800 and the typical Pell grant recipient \$3,100 over the life of the loan.

Senator KENNEDY has held a hearing this morning. We were very pleased that the administration appears now to have had a change of heart, for they have announced they are reversing their position. They now recognize that this was a major error and that they will now no longer adhere to that offset as they look to ways in which to find the money to pay for the supplemental.

We are very pleased with the administration's announcement that they will not advocate this additional burden on students, both for student loans as well as Pell grants.

But I must say, I thank the distinguished chair of the HELP Committee for calling this to the attention of our colleagues, for calling it to the attention, really, of the educational community. Because of his stalwart advocacy, and the extraordinary attention that this issue has generated over the last couple of weeks, I am not surprised that the administration has now had a change of heart.

This was not a good idea. And, obviously, they have now come to that conclusion as well.

So it is good news for students. It is good news for education. And it is especially good news for those advocates, as Senator KENNEDY has personified, who have called for this change of heart from the day it was announced.

Mr. KENNEDY. Will the Senator yield?

Mr. DASCHLE. I am happy to yield to the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I would like to preface my question with this observation: Under the leadership of Senator DASCHLE, there were 46 Members of the Senate—under his leadership and Senator REID's, and others—who wrote a letter to the President some 10 days ago, recognizing that if this policy of the administration went ahead, it would be like increasing taxes for the average working family by \$3,700. That would be the average increase if they did not consolidate. It could go as high as \$10,000.

I am wondering, I did not hear that we ever received a response to that letter requesting the deferral of that action.

As Senator pointed out, I think all of us in this body want to, first, give the assurances to young people in college that we are going to do everything we possibly can to make college affordable.

And this is my question to the leader: Doesn't the leader believe that we have a real responsibility to do everything we possibly can to make sure college is going to be more affordable for working families and for the middle income, and that we are also going to stand to make sure we meet our commitment we made to the American people and to the schoolchildren with regard to the early education bill, that we are going to try to meet our commitment to those students, to the families, to the parents, and to the local communities as well?

I am interested in hearing, as the majority leader of the Senate, how important you think it is that we continue the effort to ensure we are going to make the dreams of our young people attainable—through quality education in K-12, and through higher education—and how strongly the leader is committed to doing that, after thanking the administration for changing their position.

Mr. DASCHLE. Mr. President, no one knows more about the commitment we have made to the students who want to be involved in higher education than the distinguished Senator from Massachusetts. He can probably tell us the very day it was done. But in recent times, we have increased the cap, the availability of resources through both loans as well as the Pell grants to students in order to accommodate their additional costs.

We have recognized that their costs continue to go up. We have recognized how serious the financial problems are that many of these students have experienced. As a result, we have increased the caps. That is why the original OMB decision is so mystifying. Because as we raise the caps, if we raise the cost, then we have not done anything to help the students, so we have made this raise in eligibility for additional assistance virtually meaningless.

I might say, there is a trend here because that is basically what we did with the No Child Left Behind Act as well. We provided more opportunities for students in many respects, but then we underfund by more than \$1 billion the resources we should be providing to ensure that act is fully funded.

So there appears to be rhetoric, and then there is the reality. There is the rhetoric, and then there is the resources. The rhetoric is: We want to help all these students. The rhetoric is: We don't want to leave any child behind. The reality is, we do not provide the resources to see that it happens—whether it is an OMB decision on student loans or the decision that the budget implies on the part of the administration to fund the No Child Left Behind Act.

Ms. STABENOW. Will the Senator yield?

Mr. DASCHLE. I am happy to yield to the Senator from Michigan.

Ms. STABENOW. I would like to thank the leader personally on behalf of hundreds of thousands of students